

**CHARTER TOWNSHIP OF CLINTON
REGULAR MEETING OF THE BOARD OF TRUSTEES
MONDAY, JANUARY 12, 2009**

PRESENT: ROBERT J. CANNON GEORGE FITZGERALD WILLIAM SOWERBY ERNEST HORNUNG KEN PEARL DEAN REYNOLDS JENIFER WEST	SUPERVISOR CLERK TREASURER TRUSTEE TRUSTEE TRUSTEE TRUSTEE
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ABSENT: NONE

The Regular Meeting of the Board of Trustees was called to order at 6:30 p.m. in the Board Chambers. Also in attendance was Jack Dolan, Township Attorney. The Pledge of Allegiance was recited

APPROVAL OF AGENDA

Mr. Fitzgerald requested the following additions:

Item #30 – Recommendation on Park Pavilion Rental Fee Increase

Item #31 – Adopt Revised Income Guidelines for 2009 Poverty Exemptions

Motion by Mr. Pearl, supported by Mr. Reynolds, to approve the agenda as revised. Roll Call: Ayes – Pearl, Reynolds, Hornung, Cannon, West, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

1. ADOPT RESOLUTION HONORING PETE CATALANO

Mr. Dolan recalled that Mr. Catalano was among the Township officials he first encountered when he started out as an attorney, and he stated that Mr. Catalano manifested a kind, caring attitude that showed his concern for individuals as well as the community at large. He recalled that Mr. Catalano had made him feel very welcome, and he added that the 44 years of his service to this community is remarkable. Mr. Dolan commended Mr. Catalano for being a wonderful man and an example of why this is a fine community.

Mr. Cannon stated he was blessed to have met Mr. Catalano in 1978 at the former “Lock, Stock and Barrel” restaurant, and at that time, was asked by Mr. Catalano to campaign for him, which he did. He also commended Mr. Catalano for the wonderful service he has provided over the years to the Township, and he pointed out the Resolution does not even touch the many other ways in which he served this community, such as his church.

Ms. West noted that part of Mr. Catalano's volunteer service was through Mount Clemens General Hospital, and that is how she met him in 1987. She stated he was one of those who inspired her to run for office, and she was fortunate to get counseling and help from him in this endeavor. She thanked him for his kind words and help to her throughout the years.

Mr. Pearl stated that, while he met Mr. Catalano only a few years ago, he recalled stopping by his house, sitting on his front porch, and hearing many stories of earlier years in the Township. Mr. Pearl added that Mr. Catalano is a great man and was involved in so much of what has become Clinton Township's history. He wished Mr. Catalano and his family well as he retires from some of the Township's activities.

Mr. Reynolds commented that he has known Mr. Catalano for a long time, and has found him to be a great person, very giving in nature. He worked with him on a lot of Clintondale functions, and he wished Mr. Catalano well, stressing that he will be missed. He added that he still wants to take him out to lunch

Mr. Fitzgerald recalled that nine years ago, he knocked on Mr. Catalano's door when he was running for the school board. Mr. Catalano stated at that time that he would help Mr. Fitzgerald, and he did. Mr. Fitzgerald complimented Mr. Catalano on his knowledge of the Township's history, and felt he should be applauded for his many years of service to the community. He added that those years are a reflection of the wonderful community that Clinton Township is today.

Mr. Sowerby echoed the sentiments of the other Board members, and highly commended the commitment Mr. Catalano has shown over his many years of service.

Motion by Mr. Hornung, supported by Mr. Sowerby, to receive, file and adopt the Resolution Honoring Pete Catalano, as presented. Roll Call: Ayes – Hornung, Sowerby, Reynolds, Pearl, Cannon, West, Fitzgerald. Nays – None. Absent – None. Motion carried.

2. ADOPT RESOLUTION HONORING HARVEY KAHLER

Mr. Cannon commented that Mr. Kahler has been a great volunteer to this community, and he wished him well.

Mr. Sowerby stated that Mr. Kahler is a very kind, soft-spoken man but had strong input when it was needed. He also commended Mr. Kahler's wife, indicating that she, along with her husband, have shown a strong commitment to the Township over the years with all of the work they have done.

Motion by Ms. West, supported by Mr. Reynolds, to receive, file and adopt the Resolution Honoring Harvey Kahler, as presented. Roll Call: Ayes – West, Reynolds,

Hornung, Pearl, Cannon, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

3. SPECIAL LAND USE: DRIVE-THRU RESTAURANT & RETAIL SHOP IN THE B-3 GENERAL BUSINESS DISTRICT AND SITE PLAN FOR JIMMY JOHN'S RESTAURANT & RETIAL SHOP: 4.83 ACRES FRONTING THE EAST LINE OF HAYES, NORTH OF 19 MILE ROAD

Mr. Sowerby inquired as to whether Mr. Santia contacted the petitioner to inform him of the back taxes owed on this property.

Mr. Carlo Santia, Director of the Department of Planning and Community Development, replied that he contacted the petitioner's architect, Mr. Cummins, who was unable to contact the petitioner but is present tonight to answer questions.

Mr. James Cummins, 45136 Cass Avenue, Utica, Michigan, stated he did get in touch late this afternoon with the owner, who informed him that he was under the impression that those taxes had been paid. He added that the bank escrows the taxes and is supposed to pay them when they are due, so they should have been paid.

Mr. Sowerby explained that taxes have to be current before this Board grants approval for a site development plan, and he noted that the summer taxes remain unpaid. He indicated that \$6,333.74 is owed for one parcel and \$3,052.37 is owed for the other. He stated willingness to approve the site plan and special land use, contingent upon the taxes being paid by noon this Friday, with no permits being issued until that time. He added that if the taxes are not paid by noon this Friday, he felt the matter should come back to the Board at their next meeting for reconsideration. Mr. Sowerby stated that, while the Township is eager to see this development go in, the matter of the taxes needs to be resolved.

Motion by Mr. Sowerby, supported by Ms. West, to receive, file and concur with the letter dated January 2, 2009 from the Planning Commission and approve the Special Land Use for a Drive-Thru Restaurant and Retail Shop in the B-3 General Business District and the site plan for Jimmy John's Restaurant and Retail Shop, to be located on 4.83 acres of land fronting the east line of Hayes Road, north of 19 Mile Road (Section 6), on the condition that all taxes for Summer 2008 are paid no later than Friday, January 16th, 2009 at noon; otherwise, this matter will come back to the Township Board of Trustees for reconsideration at their next meeting, and until the payment of taxes occurs, no permits or further activity will occur. Roll Call: Ayes – Sowerby, West, Reynolds, Hornung, Pearl, Cannon, Fitzgerald. Nays – None. Absent – None. Motion carried.

4. REQUEST TO TRANSFER OWNERSHIP OF 2008 CLASS C LICENSED BUSINESS WITH DANCE-ENTERTAINMENT PERMIT: 38730 HARPER, FROM BRANCH, INC. TO NAY NAY LTD.

Mr. Sowerby explained that the petitioner's attorney came to his office on Friday and provided proof from the County that the back taxes were paid, and the 2008 taxes, which were also late, were paid, so he is satisfied that the taxes are now current. He indicated he has no objection to the request.

Motion by Mr. Pearl, supported by Mr. Hornung, to receive and file the letter dated December 17, 2008 from the Township Clerk and approve the request to Transfer Ownership of 2008 Class C Licensed Business with Dance-Entertainment Permit, located at 38730 Harper, from Branch Inc. to Nay Nay Ltd., as requested. Roll Call: Ayes – Pearl, Hornung, Reynolds, Cannon, West, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

5. REQUEST EXTENSION OF TEMPORARY SALES TRAILER – ROSE GARDEN ESTATES

Mr. Westerman replied to inquiry that to his knowledge, as of today, the outstanding bill for weed cutting has not been paid.

Mr. Codron replied to inquiry that the conditions placed upon the petitioner in December still remain the same.

Mr. Sowerby explained that the weed-cutting bill was generated in the summer. The property owner was billed for the Department of Public Works to have to go out to the site and cut the weeds.

Mr. Westerman recalled that prior to a meeting for a temporary trailer, there was a representative from Rose Garden Estates requesting permission to extend the permit for the temporary sales trailer on the site. The request was postponed, and he spoke to the petitioner the next day. He put him in touch with the garage foreman, who spent the next two weeks trying to get the petitioner to cut the weeds. Mr. Westerman explained that employees from his department cut the weeds on August 6th, and they did not hear any more until this request came up. A week ago last Friday he returned a telephone call to Ms. Duchene about the bill, maintaining that it is a valid bill for a proper amount owed to the Township for services rendered.

Mr. Cannon explained that the Township is not happy to have to go out and cut the grass, and they are not happy that the units are not selling because of the bad economy; however, the builder did not follow through with what was required of him. He reminded that it is incumbent upon property owners, whether times are good or bad, to keep up their property.

Motion by Mr. Cannon, supported by Mr. Sowerby, to receive and file the correspondence and deny the request from Ms. Susan Duchene, Rose Garden Estates, for extension of the temporary sales trailer, currently located at the Rose Garden Estates at Cass Avenue and Clinton River Road, based upon the reason that the outstanding weed

bill from last summer has not been paid to the Township. Roll Call: Ayes – Cannon, Sowerby, Reynolds, Hornung, Pearl, West, Fitzgerald. Nays – None. Absent – None. Motion carried.

6. REQUEST FROM ALIBI INN, INC. TO TRANSFER ALL STOCK IN 2008 CLASS C LICENSED BUSINESS WITH DANCE-ENTERTAINMENT PERMIT, LOCATED AT 33025 S. GRATIOT, CLINTON TOWNSHIP THROUGH TRANSFER OF 1,000 SHARES FROM SHIRLEY L. BOOTHMAN, DECEASED TO THE SHIRLEY L. BOOTHMAN TRUST: PAUL J. CIEMNIAK AND CONNIE L. LUEDKE, SUCCESSOR CO-TRUSTEES (STEP 1)

Mr. Fitzgerald stated that everything appears to be in order for this transfer, and the recommendation for approval was made by Capt. Gary Franey.

Motion by Mr. Hornung, supported by Mr. Reynolds, to receive and file the letter dated December 15, 2008 from the Police Department's Administrative Captain and approve the request from Alibi Inn, Inc. to transfer all stock in 2008 Class C Licensed Business With Dance-Entertainment Permit, located at 33025 S. Gratiot, Clinton Township, through a transfer of 1,000 shares from Shirley L. Boothman, Deceased, to the Shirley L. Boothman Trust (Paul J. Ciemniak and Connie L. Luedke, Successory Co-Trustees) (Step 1), as requested. Roll Call: Ayes – Hornung, Reynolds, Pearl, Cannon, West, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

7. REQUEST FROM ALIBI INN, INC. TO TRANSFER OWNERSHIP OF 2008 CLASS C LICENSED BUSINESS WITH DANCE-ENTERTAINMENT PERMIT, LOCATED AT 33025 S. GRATIOT, CLINTON TOWNSHIP FROM ALIBI INN, INC., TO ALIBI INN HOLDINGS, LLC (STEP 2)

Mr. Fitzgerald again noted that everything for this request appears to be in order and was recommended for approval by Capt. Franey.

Motion by Mr. Reynolds, supported by Mr. Pearl, to receive and file the letter dated December 15, 2008 from the Police Department's Administrative Captain and approve the request from Alibi Inn, Inc. to transfer ownership of 2008 Class C Licensed Business With Dance-Entertainment Permit, located at 33025 S. Gratiot, Clinton Township from Alibi Inn, Inc. to Alibi Inn Holdings, LLC (Step 2), as requested. Roll Call: Ayes – Reynolds, Pearl, Hornung, Cannon, West, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

**8. HOUSING AND ECONOMIC RECOVERY ACT 2008 –
NEIGHBORHOOD STABILIZATION PROGRAM ADMINISTERED BY HUD**

Mr. Joseph Silbernagel, Assistant Director of the Department of Planning and Community Development, explained that this is the first step in the Neighborhood Stabilization Program. There is an Ethics Policy, an Application and a Policy Manual. He indicated that, at any time during the process, this can be modified to make the program work. He anticipated that the money for this program will be available beginning in February.

Motion by Ms. West, supported by Mr. Pearl, to receive and file the letter dated November 19, 2008 from the Deputy Clerk, with regard to the Housing and Economic Recovery Act 2008 Neighborhood Stabilization Program administered by HUD. Roll Call: Ayes – West, Pearl, Reynolds, Hornung, Cannon, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

**9. ADOPT RESOLUTION TO AMEND SCHEDULE OF FEES FOR THE
BUILDING DEPARTMENT**

Mr. Cannon felt they need to proceed with some type of fee increase; however, he felt it would be best to postpone further consideration of this until the Board members have an opportunity to look at it closely. He suggested that when the Board feels comfortable, they can request that it be placed back on an agenda.

Mr. Pearl inquired as to the law recently signed by the governor with regard to multi-family rental inspections.

Mr. Dolan replied that the new legislation went into effect in December 2008, which requires a report to be prepared and maintained by the local government entity with regard to the rental inspections.

Mr. Pearl questioned whether the inspections are allowed to be conducted every six years rather than every four years.

Mr. Dolan replied that inspections are to be conducted every four years; however, if a multi-unit development is inspected and is found to have no violations, the next inspection period can be extended for up to six years.

Mr. Pearl felt that since they are looking at the fee schedule, it may be a good time to make sure all of the Township requirements are in line with state statute.

Mr. Dolan noted that Mr. Codron just informed him that the fee schedule being proposed does not have any changes for the Schedule of Fees that previously existed. He clarified that the law adopted mid-December requires the Township to gather and compile a report

for public viewing. It is a financial reporting document, and the Township has never had to assemble the information in the type of format now required by state statute.

Motion by Mr. Cannon, supported by Mr. Fitzgerald, to postpone further consideration of the proposed Resolution to Amend the Building Department Fee Schedule so that the Board members have an opportunity to review it. Roll Call: Ayes – Cannon, Fitzgerald, Reynolds, Hornung, Pearl, West, Sowerby. Nays – None. Absent – None. Motion carried.

10. ADOPT TOWNSHIP ORDINANCE NO. 383 – OUTDOOR WATER USE RESTRICTIONS

Mr. Cannon explained that this is designed to keep the water rates as low as possible in the water service contract with the City of Detroit.

Mr. Sowerby inquired as to whether this ordinance and the signing of the contract with the City of Detroit have anything to do with the Macomb County's Department of Public Works taking over certain interceptor lines.

Mr. Ken Jasinski, Superintendent of the Water and Sewer Department, replied that this is only for water, and they do not have a contract with the City of Detroit for sewage.

Motion by Mr. Hornung, supported by Mr. Reynolds, to receive and file the correspondence and adopt Township Ordinance No. 383 – Outdoor Water Use Restrictions, as presented, and to authorize the Contract to be signed as required. Roll Call: Ayes – Hornung, Reynolds, Pearl, Cannon, West, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

11. APPOINTMENT TO AMBULANCE COMMITTEE

Motion by Mr. Hornung, supported by Mr. Reynolds, to receive and file the letter dated December 9, 2008 from the Administrative Aide and appoint Mr. William Sowerby, the Police Chief, the Fire Chief, Mr. George Fitzgerald and Ms. Donna Lauretti, to the Township's Ambulance Committee for another year, with the Supervisor serving as an ex-officio member and the Township Attorney as an advisory member. Roll Call: Ayes – Hornung, Reynolds, Pearl, Cannon, West, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

12. APPOINTMENTS TO DOWNTOWN DEVELOPMENT AUTHORITY

Mr. Cannon mentioned some of the important developments that have already taken place along Gratiot Avenue, and he noted that the lighting improvements are being worked on. He felt that the three individuals who submitted their applications for re-appointment to the Downtown Development Authority (DDA) have done a good job, and he would like to see them continue to serve on the committee.

Motion by Mr. Sowerby, supported by Mr. Pearl, to receive and file the letter dated December 18, 2008 from the Administrative Aide and re-appoint Mr. Timothy Grajewski, Mr. Thomas Tignanelli and Mr. Marco Lavinio for another four-year term, expiring on January 5, 2013. Discussion ensued.

Mr. Roger Holtslander, 38015 St. Tropez, Clinton Township, Michigan 48038, estimated that Mr. Lavinio attends only one or two meetings a year, and he could not see why he should be reappointed. Mr. Holtslander claimed that “people on that committee should care a little more about what is going on in the Township” and that possibly they can appoint someone who will be present at more of the meetings.

Mr. Cannon respected Mr. Holtslander’s opinion, but noted that there are numerous meetings in addition to the regularly scheduled meetings, there are ribbon-cuttings, and the welcoming of new business in the area. He indicated that the Lavinio family has been very active in the South Gratiot area for a long time, participating in many of these other responsibilities.

Roll Call: Ayes – Sowerby, Pearl, Reynolds, Hornung, Cannon, West, Fitzgerald. Nays – None. Absent – None. Motion carried.

13. APPOINTMENT TO BUILDING COMMITTEE

Motion by Mr. Sowerby, supported by Mr. Hornung, to receive and file the letter dated December 9, 2008 from the Administrative Aide and reappoint Mr. Robert Cannon, Mr. John Codron, Mr. Carlo Santia, Mr. George Westerman and Ms. Mary Ann Hosey, as well as appointing Mr. George Fitzgerald and Ms. Donna Lauretti to replace Mr. Dennis Tomlinson and Mr. Norm Troppens, respectively, with all terms to expire on December 31, 2009. Roll Call: Ayes – Sowerby, Hornung, Reynolds, Pearl, Cannon, West, Fitzgerald. Nays – None. Absent – None. Motion carried.

14. APPOINTMENT TO FIRE/POLICE PENSION BOARD

Motion by Mr. Cannon, supported by Mr. Pearl, to receive and file the letter dated December 30, 2008 from the Administrative Aide and appoint Mr. George Fitzgerald to fill the vacated citizen position on the Fire & Police Pension Retirement Board, due to the resignation of Mr. Ron Smolinski. Roll Call: Ayes – Cannon, Pearl, Reynolds, Hornung, West, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

15. APPOINTMENT TO PERSONNEL REVIEW COMMITTEE

Mr. Cannon explained that this committee was established with the intent of it being short-term; however, because of the continued declining revenues coming in, it has become a very important committee. He added that, to date, the Township has not had to lay off any employees for many years. He indicated that Mr. Sowerby has offered to give

up his position on this committee to Ms. West in an attempt to get more of the Township Trustees involved in this process.

Mr. Sowerby confirmed that he would be willing to give up his position on this committee and have Ms. West serve as Trustee, with Mr. Reynolds as Alternate in the event any member of this committee is unable to attend.

Motion by Mr. Pearl, supported by Mr. Reynolds, to receive and file the letter dated December 21, 2008 from the Administrative Aide and re-appoint, for a one-year term, the Township Supervisor, the Township Clerk, the Finance Director and the Human Resources Director to the Personnel Vacancy Review Committee, and to appoint Ms. West to take the place of the Township Treasurer on the Committee, with Mr. Reynolds to serve as Alternate, with terms to expire December 31, 2009. Roll Call: Ayes – Pearl, Reynolds, Hornung, Cannon, West, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

16. APPOINTMENT TO GROSSE POINTE CLINTON REFUSE AUTHORITY

Motion by Mr. Cannon, supported by Mr. Hornung, to receive and file the letter dated December 9, 2008 from the Administrative Aide and re-appoint Mr. William Sowerby and Mr. Ernie Hornung to the Grosse Pointes-Clinton Refuse Disposal Authority for the one-year terms to expire December 31, 2009. Discussion ensued.

Mr. Sowerby stated he has served on this Authority for 12 years and Mr. Hornung has served for 13 years. He suggested that Ms. West and Mr. Pearl be appointed as alternates, not designated as “first” or “second”. Either would then be able to attend in the event Mr. Sowerby and/or Mr. Hornung could not attend. He further recommended that he and Mr. Hornung alternate not attending so that Ms. West and Mr. Pearl can have an opportunity to become familiarized with the Authority.

Mr. Cannon pointed out that Ms. West and Mr. Pearl can attend any of the meetings, even with Mr. Sowerby and Mr. Hornung in attendance, because although they would not be able to vote, those meetings are all open to the general public.

Mr. Hornung informed that there is a meeting of the Authority tomorrow night, and he invited Ms. West and Mr. Pearl to attend.

Mr. Dolan replied to inquiry that if Ms. West and Mr. Pearl attend as part of the general public, and Mr. Sowerby and Mr. Hornung are also in attendance at that meeting as members of the Authority, they would not be in violation of any statutes regarding a quorum because their attendance would not be reflective of the Township Board making any decisions.

Mr. Cannon amended his motion to include the appointment of Ms. Joie West and Mr. Ken Pearl as alternates to the Grosse Pointes-Clinton Refuse Disposal Authority for one-year terms to expire December 31, 2009. Roll Call (on motion and amendment): Ayes – Cannon, Hornung, Reynolds, Pearl, West, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

17. APPOINTMENT TO HOUSING COMMISSION

Motion by Mr. Cannon, supported by Mr. Sowerby, to receive and file the letter dated December 10, 2008 from the Administrative Aide and reappoint Ms. West to the board position on the Housing Commission, with Mr. Reynolds to serve as Alternate, with the three-year term to expire on January 3, 2011; further, to reappoint Mr. Gerald “Bruno” Burnosky to the Housing Commission, with the five-year term to expire on January 3, 2014. Roll Call: Ayes – Cannon, Sowerby, Reynolds, Hornung, Pearl, West, Fitzgerald. Nays – None. Absent – None. Motion carried.

18. APPOINTMENT TO EMERGENCY MANAGEMENT COMMITTEE

Motion by Mr. Pearl, supported by Mr. Reynolds, to receive and file the letter dated December 22, 2008 from the Administrative Aide and reappoint the Emergency Management Director, the Fire Chief, Police Chief and representatives from the Public Works, Water and Information Technology Departments to the Emergency Management Committee, with terms to expire on December 31, 2009. Roll Call: Ayes – Pearl, Reynolds, Hornung, Cannon, West, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

19. APPOINTMENT TO PARKS & RECREATION COMMITTEE

Mr. Sowerby felt it would be a good idea for the Parks & Recreation Committee to open their By-Laws and add Mr. Pearl as Alternate to the Committee. He indicated that Mr. Pearl was serving on the Committee as a representative of the Chippewa Valley School Board. He had to resign in that capacity but he has a wealth of experience and knowledge in this area that would be beneficial to the committee. Mr. Sowerby added that the designates cannot always attend all of the meetings, so it would be good to have Mr. Pearl as an alternate.

Mr. Reynolds stated they are having a meeting in two weeks and he will make sure they address this suggestion.

Motion by Mr. Sowerby, supported by Mr. Reynolds, to receive and file the letter dated December 10, 2008 from the Administrative Aide and re-appoint Mr. Reynolds and Ms. West to the Parks & Recreation Committee for two-year terms to expire November 30, 2010, with further recommendation to the Parks & Recreation Committee to amend their By-Laws to allow an alternate from the Board to be appointed, and to appoint Mr. Pearl to that position should it be incorporated, also for a two-year term to expire November

30, 2010. Roll Call: Ayes – Sowerby, Reynolds, Hornung, Pearl, Cannon, West, Fitzgerald. Nays – None. Absent – None. Motion carried.

20. APPOINTMENT TO CONSERVATION COMMITTEE

Motion by Mr. Cannon, supported by Mr. Pearl, to receive and file the letter dated November 21, 2008 from the Administrative Aide and appoint Mr. Sowerby to fill the board representative position on the Conservation Committee, with the two-year term to expire November 30, 2010. Roll Call: Ayes – Cannon, Pearl, Reynolds, Hornung, West, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

21. APPOINTMENT TO REFUSE COMMITTEE

Motion by Mr. Cannon, supported by Mr. Reynolds, to receive and file the letter dated December 9, 2008 from the Administrative Aide and reappoint Mr. Sowerby, Mr. Fitzgerald, Ms. Lauretti and Mr. Westerman, in addition to Mr. Hornung as a replacement for Mr. Tomlinson, to the Refuse Committee, with the annual terms to expire December 31, 2009. Roll Call: Ayes – Cannon, Reynolds, Hornung, Pearl, West, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

22. APPOINTMENT TO SEWER COMMITTEE

Mr. Sowerby indicated that this is a very important committee and it was brought about by problems experienced some years ago with regard to sewer overflow during storm events. He stressed it is important to keep the environment clean, and the Township has improved and fixed the system. He stated he has served on this committee since its inception and would be willing to give up his position if someone else on the Board would like to serve on it.

Mr. Pearl indicated he would like to serve on this committee.

Motion by Mr. Sowerby, supported by Ms. West, to receive and file the letter dated December 9, 2008 from the Administrative Aide and reappoint Mr. Ernest Hornung, Mr. Robert Cannon, Mr. Ken Jasinski, Ms. Donna Lauretti, Mr. George Westerman, Ms. Mary Bednar, Mr. Mitch O'Connor, Mr. Jack Dolan, Ms. Mary Ann Hosey, and to appoint Mr. Ken Pearl to replace Mr. William Sowerby, to the Sanitary Sewer Committee, with the annual terms to expire on December 31, 2009. Roll Call: Ayes – Sowerby, West, Reynolds, Hornung, Pearl, Cannon, Fitzgerald. Nays – None. Absent – None. Motion carried.

23. APPOINTMENT TO ZONING BOARD OF APPEALS

Mr. Sowerby informed that he spoke with Dr. William Lakin, and he has withdrawn his name from consideration.

The votes were as follows:

Reynolds:	Campbell, Edgar
Hornung:	Campbell, Edgar
Pearl:	Campbell, Edgar
Cannon:	Campbell, Edgar
West:	Campbell, Edgar
Sowerby:	Campbell, Edgar
Fitzgerald	Campbell, Edgar

Motion by Mr. Reynolds, supported by Ms. West, to receive and file the letter dated December 18, 2008 from the Administrative Aide and reappoint Mr. Robert Campbell and appoint Mr. David Edgar to the Zoning Board of Appeals, with both three-year terms to expire on December 31, 2011. Roll Call: Ayes – Reynolds, West, Hornung, Pearl, Cannon, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

24. APPOINTMENT TO IT/COMMUNICATIONS COMMITTEE

Ms. Hosey replied to inquiry that Mr. Karl Wagner's term runs until December 31, 2009, so there are two vacancies at this time.

Mr. Sowerby stated he would like to rely on the opinions of the Board members who currently sit on that committee as to who would be best to fill the vacant positions.

Mr. Reynolds replied that both Mr. Agosta and Ms. Westlake currently sit on the committee and have indicated their desire to be reappointed, and he would support the reappoint of both of them. He felt they have done an excellent job on the committee.

Mr. Fitzgerald, who also sits on the committee, concurred with Mr. Reynolds. He felt committee members are very important because they bring a diverse perspective.

Mr. Sowerby thanked Mr. Reynolds and Mr. Fitzgerald for their input.

Motion by Mr. Reynolds, supported by Mr. Pearl, to reappoint Mr. Sam Agosta and Ms. Sue Westlake as representatives from the public to serve on the Communications Committee, with the two-year terms to expire on December 31, 2010; further, to reappoint Mr. Reynolds and Mr. Pearl with the two-year terms to expire on December 31, 2010; and to reappoint Cable, IT, the Police Computer Systems Manager, Administrative Aide, Human Resources Director, Finance Director, as well as appointment of Fire and Emergency Management Coordinator, to the Committee for a one-year term to expire December 31, 2009. Roll Call: Ayes – Reynolds, Pearl, Hornung, Cannon, West, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

25. APPOINTMENTS TO BOARD OF REVIEW

Motion by Mr. Cannon, supported by Mr. Sowerby, to receive and file the letter dated December 18, 2008 from the Administrative Aide and reappoint Mr. John Smeekens, Ms. Alice Pavlik and Ms. Sally Pritchett constituting the current Board B and Ms. JoAnn Franks from Board A, along with the appointment of Ms. Linda Pegg and Ms. Joann Granata; further to appoint Ms. Lucy Riley as First Alternate and Ms. Joan Gooderau as Second Alternate, all with two-year terms to expire December 31, 2010. Roll Call: Ayes – Cannon, Sowerby, Reynolds, Hornung, Pearl, West, Fitzgerald. Nays – None. Absent – None. Motion carried.

26. BILLING & POSTING CLERK POSITION IN DPW – RE-EVALUATION OF “OUT OF CLASSIFICATION” – SALARY STATUS

Mr. Westerman explained that at a Board meeting this past November, the position was given to an existing employee with a review to be brought before you. He stated they would now like to request up to 30 additional days to give them a little more time to review. He indicated that the Office Supervisor has had minimal time to review because some of the work is cyclical, so the additional 30 days would help her in this aspect. He assured that the work being done has been more than adequate, so they do not anticipate any problems but would like an additional 30 days.

Mr. Sowerby stated he has talked to the Department of Public Works personnel and the staff person handling the work, and they are happy. He felt it is prudent to wait up to the additional 30 days, and hopefully, this individual will be in this position for as long as she wants it, and so he had no objection to approving up to an additional 30 days.

Motion by Mr. Sowerby, supported by Ms. West, to extend the pay for “out of classification” wage compensation for the employee in the Office Clerk II Position in the Department of Public Works to do the Billing and Posting Clerk’s work for up to thirty (30) days at the request of the DPW Administration to evaluate the position and bring it back to the Board within the thirty (30) day period. Roll Call: Ayes – Sowerby, West, Reynolds, Hornung, Pearl, Cannon, Fitzgerald. Nays – None. Absent – None. Motion carried.

27. APPOINTMENT TO POSITION OF HUMAN RESOURCES TECHNICIAN

Mr. Fitzgerald commented that Ms. Stephens currently works out of his office, and he knew her when he was in his former position as Trustee. He felt Mr. Smith is “getting a terrific employee”.

Mr. Cannon agreed with Mr. Fitzgerald.

Mr. Sowerby clarified that Human Resources currently consists of 1-1/2 persons, and the vacancy occurred with the former Human Resources Technician was promoted to Civil Service Director. It is a small office, so he felt it is critical that this position be filled, and he felt operations of the Township will be crippled if it is not filled. He felt Ms. Stephens has shown her abilities and will fit this position quite well.

Motion by Mr. Sowerby, supported by Ms. West, to receive, file and concur with the letter dated January 2, 2008 from the Human Resources Director and appoint Ms. Diane Stephens to the position of Human Resources Technician, with a starting salary of \$37,099, as required by the UAW Local 52 Technical Office Professionals bargaining agreement, and with a starting date of January 15, 2009. Roll Call: Ayes – Sowerby, West, Reynolds, Hornung, Pearl, Cannon, Fitzgerald. Nays – None. Motion carried.

28. SCHEDULE PUBLIC HEARING ON 2009-10 BUDGET

Motion by Mr. Fitzgerald, supported by Mr. Reynolds, to schedule a Public Hearing on the Charter Township of Clinton's 2009-10 Budget for Monday, February 2, 2009 at 6:30 p.m. in the Township Board Chambers, Clinton Township Civic Center at 40700 Romeo Plank Road. Roll Call: Ayes – Fitzgerald, Reynolds, Hornung, Pearl, Cannon, West, Sowerby. Nays – None. Absent – None. Motion carried.

29. 2009 MEMBERSHIP DUES REQUEST AND SUMMARY OF 2008 ACCOMPLISHMENTS – CLINTON RIVER WATERSHED COUNCIL

Mr. Cannon noted that this year's dues reflect a 10% reduction, which is their way of thanking the communities for their continued support.

Motion by Mr. Hornung, supported by Mr. Reynolds, to receive and file the letter dated December 5, 2008 from the Executive Director of the Clinton River Watershed Council and approve payment of the 2009 Membership Dues for the Clinton River Watershed Council (CRWC) in the amount of \$4,500, as outlined in the correspondence. Roll Call: Ayes – Hornung, Reynolds, Pearl, Cannon, West, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

30. RECOMMENDATION ON PARK PAVILION RENTAL FEE INCREASE

Mr. Fitzgerald indicated this recommendation was reviewed by the Budget/Ways & Means Committee.

Mr. Sowerby inquired as to whether the Township is required to rent to non-residents or whether they can restrict the rentals to residents only.

Mr. Dolan replied that these are public parks within the Township and should be open to the public-at-large.

Motion by Mr. Sowerby, supported by Ms. West, to receive, file and concur with the letter dated January 6, 2009 from the Budget/Ways & Means Committee and approve the increase of rates currently being charged to rent pavilion(s) at Budd Park, the Civic Center, Joy Park, Prince Drewry Park, Normandy Park and Reid Park from \$50 to \$100; further to increase the rental rate for the pavilion at George George Park from \$100 to \$250; further, that residents only can register for rentals during the month of January, with reservations being taken starting February 1st from non-residents, with their rate to be double the above-mentioned rates, as outlined in the correspondence. Roll Call: Ayes – Sowerby, West, Reynolds, Hornung, Pearl, Cannon, Fitzgerald. Nays – None. Absent – None. Motion carried.

31. ADOPT REVISED INCOME GUIDELINES FOR 2009 POVERTY EXEMPTIONS

Mr. Sowerby stated this is an important program, especially during these difficult economic times, and residents should be aware they have the right to apply for assistance if they meet certain criteria. They are required to reveal income and assets; however, he assured the information is strictly confidential. If approved, the taxes on the property are not waived, but Assessing is given guidelines to help reduce the SEV to something that could end up being one-half of the current SEV. He stated that recipients must apply each year because financial situations change. He suggested that those experiencing difficult times in this regard can contact Ms. Schaffner or Mr. Robinson in the Assessing Department.

Mr. Cannon inquired as to whether an individual who pays their taxes in escrow through their mortgage company is eligible.

Mr. Sowerby replied that the 2008 tax year is over and adjustments to that cannot be made; however, residents can apply for the 2009 year, regardless of whether they pay their taxes separate or in their mortgage through an escrow account. If they are approved, they will have to alert their mortgage company.

Ms. Schaffner noted that if a resident needs an affidavit for their mortgage company, the Assessing Department will be glad to provide that for them. She added that packets will soon be mailed out to those who received assistance last year, and they will be starting to take appointments in the next couple of weeks.

Motion by Mr. Pearl, supported by Ms. West, to approve the Revised Income Guidelines for 2009 Poverty Exemptions, as presented. Roll Call: Ayes – Pearl, West, Reynolds, Hornung, Cannon, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

APPROVAL OF MINUTES OF DECEMBER 15, 2008 REGULAR TOWNSHIP BOARD MEETING

Motion by Mr. Hornung, supported by Mr. Reynolds, to approve the minutes of the December 15, 2008 Regular Board Meeting, as presented. Roll Call: Ayes – Hornung, Reynolds, Pearl, Cannon, West, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried.

APPROVAL OF BILLS

Motion by Mr. Fitzgerald, supported by Mr. Hornung, to approve the bills as presented. Roll Call: Ayes – Fitzgerald, Hornung, Reynolds, Pearl, Cannon, West, Sowerby. Nays – None. Absent – None. Motion carried.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Motion by Mr. Reynolds, supported by Ms. West, to adjourn the meeting. Roll Call: Ayes – Reynolds, West, Hornung, Pearl, Cannon, Sowerby, Fitzgerald. Nays – None. Absent – None. Motion carried. The meeting adjourned at 8:05 p.m.

Respectfully submitted,

GEORGE FITZGERALD, CLERK
CHARTER TOWNSHIP OF CLINTON